Debra P. Hackett Clerk, U.S. District Court 15 LEE ST STE 206 MONTGOMERY AL 36104-4055

August 26, 2008

Appeal Number: 08-11400-E Case Style: Courtney Boyd v. Dr. Darbouze District Court Number: 06-00511 CV-W-N

TO: Warden

Courtney Boyd (AIS - 208921) CC:

CC: Debra P. Hackett

CC: Lewis Peyton Chapman, III

CC: Richard B. Garrett

Troy King CC:

Benjamin Howard Albritton CC:

CC: Administrative File

## **United States Court of Appeals**

Eleventh Circuit 56 Forsyth Street, N.W. Atlanta, Georgia 30303

Thomas K. Kahn Clerk

For rules and forms visit www.call.uscourts.gov

August 26, 2008

Warden Draper CF PO BOX 1107 ELMORE AL 36025-9900

Appeal Number: 08-11400-E

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Pursuant to the Prison Litigation Reform Act of 1995 (the Act), 28 U.S.C. §1915 (as amended), enclosed is a CONSENT FORM executed by a prisoner in your institution which authorizes payment of the required \$455 appellate filing fee from his or her prison account to the district court named below.

Such checks shall be made payable and sent to:

Clerk, U.S. District Court District of Middle Alabama 15 Lee Street, Suite 206 Montgomery, AL 36104-4055

Pursuant to the Act, and consistent with the prisoner's signed CONSENT FORM you should now pay to the specified district court a first payment amounting to the greater of the following amounts:

- (1) 20% of the <u>average monthly deposits</u> to the prisoner's account for the six month period immediately preceding the date the notice of appeal was filed (as indicated on the enclosed CONSENT FORM); or
- (2) 20% of the <u>average monthly balance</u> in the prisoner's account for that six month period.

You should also hereafter make additional monthly payments from the prisoner's account to the specified district court until the balance of the \$455 is paid. Each additional monthly payment should be equal to 20% of all of the preceding month's deposits to the prisoner's account and will be deducted from all monies on deposit in the prisoner's account in excess of \$10.00 until the full filing fee has been paid.

If you have any questions concerning these procedures, please feel free to write or call this office. Thank you for your cooperation.

Sincerely,

THOMAS K. KAHN, Clerk

Reply To: Gloria Powell (404) 335-6184

c: District Court Clerk

Encl. PLRA-8 (03-2004)

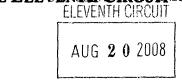
FILED United States Court of Appeals for the Eleventh Circultus

## **CONSENT FORM**

## Instructions to incarcerated appellant:

Complete this form, which is provided in quadruplicate.

- · Submit the top three copies (white, yellow, and pink) to the Clerk of the United States Court of Appeals, 11th Circuit, using the envelope provided.
- You may keep the gold copy.



By completing this form, which incorporates provisions of the Prison Litigation Reform Act of 1995, 28 U.S.C. § 1915 (as amended), you are authorizing the Institution of your confinement ("the Institution") to pay the required \$455.00 appellate filing fee ("filing fee") from your prison account to the district court where your notice of appeal was filed.

CASENAME:	COURTNEY BOYD	Vs. Dr. Darbous	ed. AL.		
COURT OF API	PEALS DKT NO.:	08-11400-E		<u> </u>	
DISTRICT COL	JRT DKT NO.: 💋	6-0051100	NOTICE OF	APPEAL DATE: 🏂 -	16-08
1. So that I	may prosecute my a	ppeal, I, / Our free	y Bard	draw a first payment	(name),
ID,# <i>20852/</i>	/, auth	orize officials at the	Institution to with	draw a first payment	from my
				be the greater of the i	
amounts:					
(1) 200/	of the exercise n	aanthiir danasita ta i	my account for th	a 6 month norical im-	madiatalu

- (1) 20% of the average monthly deposits to my account for the 6-month period immediately preceding the date I filed my notice of appeal in the district court; or
- (2) 20% of the average monthly balance in my account for that 6-month period. Institution officials are authorized to pay to the clerk of the district court this first payment from funds in my account as soon as they become available.
- I further authorize Institution officials to make additional monthly payments from my account until the balance of the \$455.00 is paid. These additional monthly payments will be equal to 20% of all of the preceding month's deposits to my account. Institution officials shall make monthly payments for me by deducting from my account all monies on deposit in excess of \$10.00 until the full filing fee is paid.
- If, before I have paid the \$455.00 filing fee, the Court disposes of my appeal by dismissing the appeal for lack of jurisdiction, for want of prosecution, or because it is frivolous, or by deciding the appeal on the merits – I authorize the Institution to continue making monthly payments to the district court until the full amount of the filing fee is paid. This means that, regardless of the Court's disposition of my appeal, I MUST STILL PAY THE ENTIRE \$455.00 FILING FEE.
- 4. Additionally, the Court may enter a JUDGMENT AGAINST ME FOR PAYMENT OF COSTS at the conclusion of the appeal, including any unpaid portion of the required \$455 filing fee. If the Court does so, I also authorize prison officials or custodial agents to pay from my prison account to the district court THE FULL AMOUNT OF THE COSTS ORDERED, using the installment payment plan explained above.
- If I am transferred to another prison or custodial agency, I hereby consent that this authorization will 5. continue to apply, and the new prison or custodial agency shall assume the duties of collecting and forwarding any remaining monthly payments to the district court.

Signature of Appellant